

UNITED STATES DISTRICT COURT
DISTRICT OF MINNESOTA

Matthew Reece, Joseph D. Thornblad,
Shawn Curry-Rakesh, Joseph J. Pederson,
Peter Nelsen, Michael Gabrio, and
Bryce Suchan,

Plaintiffs,

Civil No. 13-3125 (JNE/TNL)
ORDER

v.

Commissioner of Human Services
Lucinda Jesson and Attorney General,

Defendants.

The Plaintiffs are patients at the St. Peter Regional Treatment Center in St. Peter, Minnesota. They are confined pursuant to orders of civil commitment entered by Minnesota state courts. The Plaintiffs collectively brought this action by filing a civil rights complaint under 42 U.S.C. § 1983. ECF No. 1. One of the Plaintiffs, Matthew Reece, has also filed an application to proceed in forma pauperis (“IFP”). ECF No. 2.

The case is now before the Court on a Report and Recommendation from the Honorable Tony N. Leung, United States Magistrate Judge. ECF No. 3. Magistrate Judge Leung recommends that Mr. Reece’s IFP application be denied and that this action be dismissed under 28 U.S.C. § 1915(e)(2)(B)(ii) because the Complaint fails to state a claim on which relief can be granted. None of the Plaintiffs objected to the Report and Recommendation.

The Court has conducted a de novo review of the record, D.Minn. L.R. 72.2(b), and now adopts the Report and Recommendation.

THEREFORE, IT IS ORDERED THAT:

1. Plaintiff Matthew Reece's Application to Proceed In Forma Pauperis [ECF No. 2] is
DENIED.
2. This action is DISMISSED under 28 U.S.C. § 1915(e)(2)(B)(ii).

LET JUDGMENT BE ENTERED ACCORDINGLY.

Dated: February 4, 2014

s/Joan N. Ericksen
The Honorable Joan N. Ericksen
United States District Judge